



2785 E. Desert Inn Road, Suite 180  
Las Vegas, Nevada 89121  
(702) 486-4120

**STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION**

1755 East Plumb Lane, Suite 243  
Reno, Nevada 89502  
(775) 688-1730

In Re:

On Call Cash, LLC

Respondent.

**ORDER TO CEASE AND DESIST  
ACTIVITIES**

**ORDER TO CEASE AND DESIST  
ACTIVITIES**

The State of Nevada, Department of Business and Industry, Financial Institutions Division (hereinafter "Division") hereby orders ON CALL CASH, LLC, (hereinafter "Respondent") to cease and desist from any and all activities which are in violation of Nevada Revised Statutes (NRS) Chapter 604A.

**JURISDICTION**

1. Deferred deposit loan, high interest loan, title loan, and check cashing services in the State of Nevada are governed by Chapter 604A of the Nevada Revised Statutes (NRS) and Chapter 604A of the Nevada Administrative Code (NAC). The Division has primary jurisdiction for the licensing and regulation of persons operating and/or engaging in deferred deposit loan, high interest loan, title loan and check cashing service activities or persons seeking to evade the application of NRS Chapter 604A. See generally NRS 604A.020-.030, 604A.050-.060, 604A.080, 604A.095-.110, 604A.200, 604A.300, 604A.400, 604A.600 and 604A.710.





1           forth in the disclosure statement required by the Truth in Lending Act and  
2           Regulation Z that is provided to the customer.

3           2. Take any note or promise to pay which does not disclose the date and  
4           amount of the loan, amount financed, annual percentage rate, finance charge,  
5           total of payments, payment schedule and a description and the amount of every  
6           fee charged, regardless of the name given to the fee and regardless of whether  
7           the fee is required to be included in the finance charge under the Truth in  
8           Lending Act and Regulation Z.

9           3. Take any instrument, including a check or written authorization for an  
10          electronic transfer of money, in which blanks are left to be filled in after the loan  
11          is made.

12          4. Make any transaction contingent on the purchase of insurance or any  
13          other goods or services or sell any insurance to the customer with the loan.

14          5. Fail to comply with a payment plan which is negotiated and agreed to by  
15          the licensee and customer.

16          6. Charge any fee to cash a check representing the proceeds of a loan made  
17          by the licensee or any agent, affiliate or subsidiary of the licensee.

18           **14. NRS 604A.810 provides the Division has the authority to impose a Cease and**  
19           **Desist order:**

20           **NRS 604A Order to desist and refrain; action to enjoin violation;**  
21           **appointment of receiver.**

22           1. Whenever the Commissioner has reasonable cause to believe that any  
23           person is violating or is threatening to or intends to violate any provision of this  
24           Chapter, he may, in addition to all actions provided for in this Chapter and  
25           without prejudice thereto, enter an order requiring the person to desist or to  
26           refrain from such violation.

27           2. The Attorney General or the Commissioner may bring an  
28           action to enjoin a person from engaging in or continuing a violation  
29           or from doing any act or acts in furtherance thereof. In any such action, an  
30           order or judgment may be entered awarding a preliminary or final injunction as  
31           may be deemed proper.

32           3. In addition to all other means provided by law for the enforcement of a  
33           restraining order or injunction, the court in which an action is brought may  
34           impound, and appoint a receiver for, the property and business of the  
35           defendant, including books, papers, documents and records pertaining thereto,  
36           or so much thereof as the court may deem reasonably necessary to prevent  
37           violations of this Chapter through or by means of the use of property and  
38           business. A receiver, when appointed and qualified, has such powers and  
39           duties as to custody, collection, administration, winding up and liquidation of  
40           such property and business as may from time to time be conferred upon him by  
41           the court.

1           15. The Division has the authority to impose an administrative fine against any  
2 person engaged in NRS 604A activity as part of a disciplinary action:

3           **NRS 604A.820 Procedure for taking disciplinary action; authorized**  
4           **disciplinary action; grounds.**

5           1. If the Commissioner has reason to believe that grounds for revocation or  
6 suspension of a license exist, the Commissioner shall give 20 days' written  
7 notice to the licensee stating the contemplated action and, in general, the  
8 grounds therefor and set a date for a hearing.

9           2. At the conclusion of a hearing, the Commissioner shall:

10           (a) Enter a written order either dismissing the charges, revoking the license or  
11 suspending the license for a period of not more than 60 days, which period must  
12 include any prior temporary suspension. The Commissioner shall send a copy of  
13 the order to the licensee by registered or certified mail.

14           (b) Impose upon the licensee an administrative fine of not more than \$10,000  
15 for each violation by the licensee of any provision of this chapter or any  
16 regulation adopted pursuant thereto.

17           (c) If a fine is imposed pursuant to this section, enter such order as is  
18 necessary to recover the costs of the proceeding, including investigative costs  
19 and attorney's fees of the Commissioner.

20           3. The grounds for revocation or suspension of a license are that:

21           (a) The licensee has failed to pay the annual license fee;

22           (b) The licensee, either knowingly or without any exercise of due care to  
23 prevent it, has violated any provision of this chapter or any lawful regulation  
24 adopted pursuant thereto;

25           (c) The licensee has failed to pay a tax as required pursuant to the provisions  
26 of chapter 363A of NRS;

27           (d) Any fact or condition exists which would have justified the Commissioner  
28 in denying the licensee's original application for a license pursuant to the  
provisions of this chapter; or

(e) The licensee:

(1) Failed to open an office for the conduct of the business authorized by his  
or her license within 180 days after the date the license was issued; or

(2) Has failed to remain open for the conduct of the business for a period of  
180 days without good cause therefor.

4. Any revocation or suspension applies only to the license granted to a  
person for the particular office for which grounds for revocation or suspension  
exist.

5. An order suspending or revoking a license becomes effective 5 days  
after being entered unless the order specifies otherwise or a stay is granted.

1           **16.**    NRS 604A states the following remedies for certain willful violations:

2                   **NRS 604A.900 Remedies for certain willful violations.**

3                   1. Except as otherwise provided in this section, if a licensee  
4                   willfully:

5                   (a) Enters into a loan agreement for an amount of interest or any  
6                   other charge or fee that violates the provisions of this Chapter or  
7                   any regulation adopted pursuant thereto;

8                   (b) Demands, collects or receives an amount of interest or any  
9                   other charge or fee that violates the provisions of this Chapter or  
10                   any regulation adopted pursuant thereto; or

11                   (c) Commits any other act or omission that violates the  
12                   provisions of this Chapter or any regulation adopted pursuant  
13                   thereto,

14                   (d) the loan is void and the licensee is not entitled to collect,  
15                   receive or retain any principal, interest or other charges or fees  
16                   with respect to the loan.

17                   2. The provisions of this section do not apply if:

18                   (a) A licensee shows by a preponderance of the evidence that  
19                   the violation was not intentional and resulted from a bona fide  
20                   error of computation, notwithstanding the maintenance of  
21                   procedures reasonably adapted to avoid that error; and

22                   (b) Within 60 days after discovering the error, the licensee  
23                   notifies the customer of the error and makes whatever  
24                   adjustments in the account are necessary to correct the error.

25           **17.**    The Commissioner of the Division has reasonable cause to believe that  
26           Respondent is violating or is threatening to or intends to violate provisions of NRS 604A as  
27           stated above.

28           **18.**    The terms of the contract clearly evidence a violation of NRS 604A by securing  
             a loan with a non-land transportation vehicle.

**19.**    The Commissioner believes that the actions by Respondent are willful and  
             intentional based on this same type of violation cited in an examination conducted in 2013.

**20.**    The loan contract with Customer A is an intentional violation of the law, the loan  
             contract with Customer A and Respondent is void and Respondent "is not entitled to collect,  
             receive or retain any principal, interest or other charges or fees" from this contract.

**ORDER**

IT IS HEREBY ORDERED that the Respondent shall **CEASE AND DESIST** from operating and/or engaging in title loan service or other lending activities in violation of NRS Chapters 604A.

IT IS FURTHER ORDERED that the loan contract with Customer A, loan number ending 8800 is void and Respondent shall immediately remit to Customer A all principal, interest and charges received from such contract, including making arrangement for the release of the non-land transportation vehicle used as collateral and cease and desist from any and all collection efforts based upon that contract.

STATE OF NEVADA  
DEPARTMENT OF BUSINESS AND INDUSTRY  
FINANCIAL INSTITUTIONS DIVISION

By:

  
LEONARD J. ESTERLY JR.  
Deputy Commissioner

CC. George E. Burns  
Commissioner  
Nevada Financial Institutions Division

**APPEAL RIGHTS**

1                   **RESPONDENT HAS THE RIGHT TO REQUEST A HEARING IN THIS MATTER.** If  
2 you wish to request a hearing you must file a request **within thirty (30) days** after this Cease  
3 and Desist order is served to the Respondent. Your request for a hearing must be delivered  
4 to:

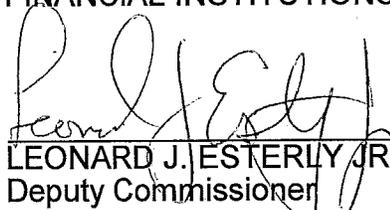
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7 STATE OF NEVADA  
8 DEPARTMENT OF BUSINESS AND INDUSTRY  
9 FINANCIAL INSTITUTIONS DIVISION  
10 2785 E Desert Inn Road  
11 Suite 180  
12 LAS VEGAS, NEVADA 89121

13                   Other important rights you have are listed in Nevada Revised Statutes Chapters 604A  
14 and 233B and the Nevada Administrative Code Chapter 604A.

15                   DATED this 20<sup>th</sup> day of May, 2016.

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18 STATE OF NEVADA  
19 DEPARTMENT OF BUSINESS AND INDUSTRY  
20 FINANCIAL INSTITUTIONS DIVISION

21 By:

  
LEONARD J. ESTERLY, JR.  
Deputy Commissioner

22  
23 CC. George E. Burns  
24 Commissioner  
25 Nevada Financial Institutions Division  
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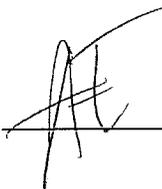
**CERTIFICATE OF SERVICE**

I certify that I am an employee of the State of Nevada, Department of Business and Industry, Financial Institutions Division, and that on 20<sup>th</sup> day of May, 2016, I deposited in the U.S. mail, postage prepaid, via First Class Mail and Certified Return Receipt Requested, a true and correct copy of the foregoing **ORDER TO CEASE AND DESIST ACTIVITIES**, addressed as follows:

ON CALL CASH, LLC  
Attn: Michael Sorrillo, Resident Agent  
467 E Silverado Ranch Blvd. Suite 110  
Las Vegas, NV 89183

Certified Mail: 7012 1010 0000 1168 5409

DATED this 20<sup>th</sup> day of May, 2016

By:  \_\_\_\_\_